



Attorney Docket No. 00010.04CON

JFM

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: RABINOWITZ, *et al.*) EXAMINER: HAGHIGHATIAN,
SERIAL NO.: 10/792,013) MINA
FILED: MARCH 3, 2004) ART UNIT: 1616
TITLE: DELIVERY OF DIAZEPAM) CONFIRMATION NO.: 4276
THROUGH AN INHALATION ROUTE)

Mail Stop: Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

INFORMATION DISCLOSURE STATEMENT

Applicant calls the Examiner's attention to the patents and publications listed on the attached Form PTO-1449, copies of required documents enclosed, which may be material to examination of the above identified application.

TIME OF TRANSMITTAL

This Information Disclosure Statement is being submitted under 37 CFR § 1.97(c). This Statement is filed after three months from the filing date of the national application, after three months from the date of entry into national stage under 37 CFR § 1.491, after the mailing of a first Office Action on the merits, or after the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR § 1.114, but before the mailing date of any of:

- (a) a final action under 37 CFR § 1.113;
- (b) a notice of allowance under 37 CFR § 1.311; or
- (c) an action that otherwise closes prosecution in the application.

This Statement is accompanied by a check for \$180 in accordance with 37 CFR §§ 1.97(c) and 1.17(p). The undersigned hereby authorizes the charging of any deficiency of fees submitted herewith to Deposit Account No. 19-5117.

10/11/2005 MBELETE1 00000040 10792013

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37 CFR 1.8

CERTIFICATE OF MAILING

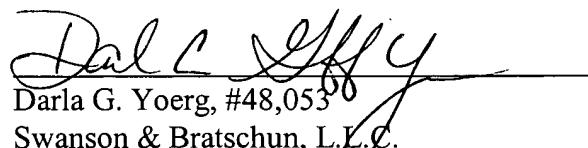
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on 10/11/05.

Signature: Tasha L. Pierce
Name: Tasha L. Pierce

The filing of this Information Disclosure Statement shall not be construed as an admission against interest in any manner. This listed patents and publications are believed of interest herein and consideration and citation of as interest by Examiner is respectfully requested.

Respectfully submitted,

Date: October 5, 2005


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FORM PTO-1449	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTY. DOCKET NO. 00010.04CON	SERIAL NO. 10/792,013
List of Information Cited by Applicant Page 1 of 3		APPLICANT Rabinowitz, et al.	
		FILING DATE March 03, 2004	GROUP 1616

U.S. PATENT DOCUMENTS							
EXAM. INITIAL		DOCUMENT NUMBER	DATE	NAME	CLS	SUB- CLS	FILE DATE
	AA	10/057,198	10/26/2001	Lloyd et al.			
	AB	10/146,088	05/13/2002	Hale et al.			
	AC	10/280,315	10/25/2002	Shen			
	AD	10/302,614	11/21/2002	Lu			
	AE	10/322,227	12/17/2002	Novack et al.			
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	AG	10/719,540	11/20/2003	Hale et al.			
	AH	10/750,303	12/30/2003	Rabinowitz et al.			
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	AN	10/861,554	06/03/2004	Cross et al.			
	AO	10/912,417	08/04/2004	Bennett et al.			
	AP	10/917,720	08/12/2004	Hale et al.			
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EXAM. INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLS	SUB- CLS	TRANS ?
	AR	GB 502 761	03/24/1939	Great Britain			
	AS	WO 94/09842	05/11/1994	WIPO			
	AT	WO 97/36574	10/09/1997	WIPO			
	AU	WO 03/37412	05/08/2003	WIPO			

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)		
	AV	Office Action mailed 12/04/03 for US App. No. 10/057,198 filed 10/26/01, "Method And Device For Delivering A Physiologically Active Compound"
	AW	Office Action mailed 01/12/05 for US App. No. 10/057,197 filed 10/26/01, "Aerosol Generating Device And Method"
	AX	Office Action mailed 06/03/04 for US App. No. 10/057,197 filed 10/26/01, "Aerosol Generating Device And Method"
	AY	Office Action mailed 12/15/03 for US App. No. 10/057,197 filed 10/26/01, "Aerosol Generating Device And Method"
	AZ	Office Action mailed 02/27/04 for US App. No. 10/146,080 filed 05/13/02, "Aerosol Forming Device For Use In Inhalation Therapy"

EXAMINER	DATE CONSIDERED
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE List of Information Cited by Applicant Page 2 of 3	ATTY. DOCKET NO.	SERIAL NO.
	00010.04CON	10/792,013
	APPLICANT	
	Rabinowitz, et al.	
	FILING DATE	GROUP
	March 03, 2004	1616

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EXAM. INITIAL		DOCUMENT NUMBER	DATE	NAME	CLS	SUB- CLS	FILE DATE
	BA	3,219,533	11/23/1965	Mullins			
	BB	3,949,743	04/13/1976	Shanbrom			
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	BO	4,906,417	03/06/1990	Gentry			
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U.S. PATENT DOCUMENTS							
EXAM. INITIAL		DOCUMENT NUMBER	DATE	NAME	CLS	SUB- CLS	FILE DATE
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	CB	5,666,977	09/16/1997	Higgins et al.			
	CC	5,743,251	04/28/1998	Howell et al.			
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